

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	CIVIL NO. 18-mc-91099
)	
DEMONE COLEMAN,)	
Defendant.)	

**ASSENTED-TO MOTION FOR ENDS-OF-JUSTICE CONTINUANCE OF TIME FOR
FILING AN INDICTMENT OR INFORMATION, AND EXCLUSION OF TIME,
UNDER THE SPEEDY TRIAL ACT**

COMES NOW, the United States of America, by and through undersigned counsel, and respectfully moves this Court for an order granting a continuance of the time within which an indictment or information must be filed, and excluding the time period from March 16, 2018 through and including April 20, 2018, from the speedy trial clock, pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008), on the ground that the ends of justice served by granting the requested continuance and excluding this period, outweigh the best interests of the public and the Defendant in a speedy trial. The government further asks this Court to issue the attached proposed Order of Continuance and Excludable Delay. In support of this request, the government states as follows:

1. On December 21, 2017, the Defendant had his initial appearance in the District of Massachusetts and was charged via criminal complaint styled *United States v. Demone Coleman*, Case No. 17-MJ-07219-JCB. The Defendant was released on conditions.

2. Subsequently, the Defendant has been charged in the District of Maine with drug trafficking crimes; see *USA v. Coleman*, 2:18-cr-00012-JAW.

3. The parties have engaged in discussions to transfer the pending District of Massachusetts case to the District of Maine in order for the Defendant to enter a plea of guilty. Even with due diligence, the parties have not been able to finalize the transfer. Thus, the government requests a 30-day extension of time within which an indictment or information must be filed in this case.

4. If the requested time is excluded, the United States will have until April 20, 2018, to return an indictment or file an information in this case.

5. Defendant's counsel has assented to this motion.

6. A proposed order is attached.

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

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Nicholas Soivilien
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Dated: March 14, 2018

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,)	
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ORDER OF CONTINUANCE AND EXCLUDABLE DELAY

Upon consideration of the Assented-To Motion seeking an order of continuance and excludable delay, the Court finds as follows:

1. The Defendant has been and charged by criminal complaint styled *United States v. Demone Coleman*, Case No. 17-MJ-07219-JCB. The parties have engaged in discussions regarding the case, and anticipate transferring this case to the District of Maine pursuant to Rule 20 of the Federal Rules of Criminal Procedure; however, even with due diligence, the parties expect to be unable to finalize their discussions prior to the time within which an indictment or information must be filed. As a result, the United States requests an extension of time to return an indictment or file an information. The requested exclusion of time represents an extension of the United States' time to file an indictment or information under the Speedy Trial Act.

2. Accordingly, the ends of justice served by granting the requested continuance and excluding the time period from March 16, 2018 through and including April 20, 2018, from the speedy trial clock, outweigh the best interests of the public and the Defendant in a speedy trial pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases* for the United States District Court for the District of Massachusetts (effective December 2008).

Accordingly, the Court hereby grants the Assented-To Motion and **ORDERS** that, pursuant to the Speedy Trial Act, 18 U.S.C. §§3161(h)(7)(A), and Sections 5(b)(7)(B) and 5(c)(1)(A) of the *Plan for Prompt Disposition of Criminal Cases*, (1) the date on which an Indictment or Information must be filed is continued to April 20, 2018; and (2) the period from March 16, 2018 through and including April 20, 2018, is excluded from the speedy trial clock and from the time within which an indictment or information must be filed.

UNITED STATES DISTRICT JUDGE

Date:

CERTIFICATE OF SERVICE

I, Nicholas Soivilien, Assistant United States Attorney, hereby certify that this document filed will be sent via electronic mail and first class mail to counsel of record.

Dated: March 14, 2018

Nicholas Soivilien
Nicholas Soivilien
Assistant United States Attorney